

City of West Lafayette, Indiana
Board of Public Works and Safety
MINUTES

September 20, 2016
8:30 a.m.
Morton Community Center
Multi-Purpose Room

Members present were Bradley L. Cohen, Brooke E. Folkers, Jason D. Huber, and Thomas J. Kent. Clerk Sana G. Booker presided.

1. APPROVAL OF MINUTES

a. September 13, 2016, Meeting

Mr. Cohen moved to accept the minutes of the September 13, 2016, Board of Works meeting. Ms. Folkers seconded the motion.

The motion was adopted.

2. NEW BUSINESS

a. Agreement and Mutual Release of Claims: Northside Regional Lift Station and Force Main Improvements – R.L. Turner Corporation – WWTU

WWTU Director Henderson stated that this is an agreement and mutual release of claims for the Northside Regional Lift Station and Force Main Improvements with R.L. Turner Corporation. Mr. Henderson stated that due to an interruption of the contractual agreement with R.L. Turner Corporation, mediation was determined to be necessary to resolve a dispute about delays. The final resolution was a settlement in the amount of \$460,000.00 to be paid to R.L. Turner Corporation, of which \$238,161.33 will be released from an escrow account. Director Henderson stated that some of the funds will be reimbursed to the City as an SRF Loan Disbursement at a later time.

Ms. Folkers moved that the agreement and mutual release of claims be approved. Mr. Kent seconded the motion.

Corporation Counsel Burns recommended that the Board approve the agreement.

The motion was adopted.

b. Final Contract Change Order No. 1: Northside Regional Lift Station and Force Main Improvements – R.L. Turner Corporation – WWTU

WWTU Director Henderson requested approval for Final Contract Change Order No. 1 for the Northside Regional Lift Station and Force Main Improvements with R.L. Turner Corporation. This final change order is a reduction in the amount of \$189,548.07.

Ms. Folkers moved that the Final Contract Change Order No. 1 be approved. Mr. Huber seconded the motion.

The motion was adopted.

c. Escrow Release Letter: Northside Regional Lift Station and Force Main Improvements – R.L. Turner Corporation – Stock Yards Bank & Trust – WWTU

WWTU Director Henderson requested approval to release escrow to R.L. Turner Corporation in the amount of \$238,161.33. Director Henderson stated that they will also be entitled to the interest that has accrued over the years in the escrow account.

Ms. Folkers moved that the escrow release letter be approved. Mr. Cohen seconded the motion.

Mr. Kent asked if this is the end of the City's relationship with R.L. Turner Corporation, to which Corporation Counsel Burns responded that the law does allow a municipality to choose not to use a contractor under certain circumstances. Counsel Burns stated that it would be within the Board's power to use past history to deny approval in the future.

The motion was adopted.

d. Elevation: Officer First Class – Jordan Glick – Police

Police Chief Dombkowski requested approval to elevate Second Class Officer Jordan Glick to a First Class Officer effective September 22, 2016. Officer Glick's new bi-weekly salary will be \$2,221.38, with a \$0.50 shift differential.

Mr. Cohen moved that the elevation to First Class Officer for Jordan Glick be approved. Ms. Folkers seconded the motion.

The motion was adopted.

e. 2012 SRF Loan Disbursement Request No. 55: Northside Regional Lift Station and Force Main Improvements – Greeley and Hansen – WWTU

WWTU Director Henderson requested approval of the 2012 SRF Loan Disbursement Request No. 55 to Greeley and Hansen in the amount of \$9,500.00. Director Henderson stated that this disbursement is for old invoices that had been put on hold while the R.L. Turner Corporation issue was being resolved. These invoices were for all of Greeley and Hansen's construction, administrative, and inspection services provided during the project.

Mr. Huber moved that the 2012 SRF Loan Disbursement Request No. 55 with Greeley and Hansen be approved. Mr. Kent seconded the motion.

The motion was adopted.

f. Claims

i. AP Docket	\$2,486,279.49
ii. AP Docket	\$285,930.78
iii. PR Docket	\$558,871.61

Mr. Huber moved that the claims be approved. Mr. Kent seconded the motion.

There were no questions or comments about the claims.

The motion was adopted.

g. Informational Items

i. Project Payment List – WWTU

There were no questions or comments about the listing.

ii. Legal Budget & Expenses – Controller

There were no questions or comments about the listing.

iii. Park Board Dockets

There were no questions or comments about the listing.

iv. Purchasing Card Transactions

There were no questions or comments about the listing.

h. Other Items

► Mayor John Dennis stated that this is Public Works Director Buck's last week working for the City. There will be an open house on Thursday from 2:00 p.m. to 3:30 p.m. for him.

► Engineering Assistant Garrison updated on issues concerning the Happy Hollow Project. He explained that there were a couple things that had become apparent with the creek when they first started the project. The first one was with the new box structure that was put in by the State. The width of the box has now changed the way the channel flows into it. Mr. Garrison stated that the City is working on funding a project that will be able to realign the creek. That work will not begin until 2017, and will be completed sometime in 2018. The problem right now is there is a lot of erosion that has already begun, and during heavy rain events it becomes even more apparent. They have already begun the process of eliminating a section of wall that was originally part of the current contract. Mr. Garrison stated that one option they had was to try to armor the creek in the current contract with Reith-Riley Construction Co., which did not fit into the City's budget. The other option was to wait until 2018 when the realignment of the creek was completed, which the City is no longer comfortable with that decision. He stated that they have decided to bring in a second contractor who is able to work from the Parks side. They will work to stabilize this as a temporary measure until the creek can be realigned. Mr. Garrison requested the Boards approval to consider this an emergency armoring of the creek. The second contractor will be able to start next week as time and material. They are estimating the cost to be \$60,000.00. Mr. Garrison stated the second part is that there is a sanitary crossing that is elevated above the creek. The Street Department has stabilized it over the course of the years by putting 55 gallon concrete filled barrels on the ends to support it. He stated that they would like to protect this sanitary crossing better. He explained that their goal would be to do this at the same time as the armoring of the creek, while the contractor is already there. Mr. Garrison stated that what they would be proposing is a pile and trust system. The armoring will be paid out of stormwater funds, and the pile and trust system will be paid out of wastewater funds.

Corporation Counsel Burns stated that it requires a motion to authorize emergency work to be done.

Mr. Cohen asked if this type of measure was allowed without being on the agenda, to which Counsel Burns responded yes. The law requires that the circumstances that have occurred would result in a loss, which in this case would be a loss of property.

Mr. Garrison responded that they have begun to cement-stabilize on the west side of the road.

Counsel Burns stated that it would call for a finding by the Board that there is an emergency based on the circumstances as Mr. Garrison has described. They would then

select a contractor. They would then use the best method in the circumstance to get the best price possible, which would be compared to a quote method.

Mr. Garrison explained that Atlas Excavating will be doing the work as time and material. They will be using a two man crew and a 450 excavator dozer to complete the task. They are projecting the work to take a week and a half to complete.

After discussion between Counsel Burns, Mr. Garrison, and Public Works Director Buck, it was decided that the not-to-exceed amount for this project should be \$60,000.00. In addition, there will be another \$60,000.00 not-to

.-exceed contract for the sanitary crossing.

Counsel Burns asked for further elaboration in regards to the necessary need for speed for the potential of erosion for the road that has been installed. Director Buck stated that they have been watching this since the culvert was initially installed, and have seen a gradual amount of erosion along the roadside as the creek comes along the entrance drive of Happy Hollow Park. During the last couple of rain events there have been large boulders that have begun to move in piles, which is starting to cut the hill bank. Director Buck explained that they are needing to get that protected within the next 2-3 weeks before it gets any worse, which would cause corrective work on the road.

Mr. Kent asked if the State has been informed that their mandated culvert has caused additional problems.

Director Buck responded that when the design was done originally, the existing culvert was a large pipe structure underneath the road. We did a hydraulic analysis with our designer and then submitted it, which was approved. The stage one design, which is about 25% -30% complete. We can progress through the rest of the design that we got to the stage three design, which is about 75%-90% complete. The Hydraulic section then changed their mind and said that the existing hydraulics of the existing culvert would not be approved, and we would need to replace that by a 7x16 foot box structure. The new structure added approximately \$250,000.00 to the project that was not originally budgeted. Director Buck stated that we submitted our e-mail that showed our original approval. Unfortunately, they have the ability to do that on a Federal-aid project and take no ownership in that decision. We did not have time to change the already permitted environmental documents at that time.

Mr. Kent asked if the water flow affects any of the property owners on the riverside, to which Director Buck responded not really. There is some material that is being deposited because of the turbulence inside the box structure. That material is moving down the creek behind those houses, and out into the Wabash River. The realignment will help prevent that from happening, and help to make it not be as drastic when it does happen.

Counsel Burns stated that there will need to be two separate motions of approval for the projects. The first one will be a motion to proceed on an emergency basis to make an emergency repair to the streambed. The second one would be a motion to repair a sewer line that is crossing the Happy Hollow Creek.

Clerk Booker stated that she felt it was important for the Board to understand that this is an unusual situation. The Board likes to have the information to review. However, this is an emergency situation.

Ms. Folkers moved to proceed on an emergency basis to make an emergency repair to the streambed. Mr. Cohen seconded the motion.

Mr. Cohen asked if there could be documentation presented at the next Board of Works Meeting to follow up with what is being approved today, to which Engineering Assistant Garrison replied yes.

Counsel Burns confirmed with Director Buck that the amount approved was not to exceed \$60,000.00.

The motion was adopted.

Counsel Burns stated that the repair of the sewer line project will not exceed \$60,000.00.

Ms. Folkers moved to repair a sewer line that crosses the Happy Hollow Creek. Mr. Kent seconded the motion.

The motion was adopted.

► Police Chief Dombkowski stated that Global Fest was a successful event over the weekend. The 1K to support breast cancer awareness that was put on by the YWCA was well attended on Saturday. Chief Dombkowski stated that the Department will continue to stay active in all of the fall festivities coming up. He reminded everyone that Purdue has another home football game this weekend.

► Marketing and Grants Administrator Shaw stated that this Sunday from 10:00 a.m. to 4:00 p.m. will be Art on the Wabash. Ms. Shaw explained that this is one of the many ways the City supports local art. There will be 41 juried artists, local musicians, and local food vendors at Tapawingo Park.

► Public Works Director Buck stated that he appreciated the Board's support for the Happy Hollow emergency that Mr. Garrison spoke about earlier. He stated that this is a very rare occasion. A rare emergency like this has only happened two or three times in his career with the City. Director Buck expressed his gratitude and appreciation towards everyone he has worked with over the past twelve years.

Clerk Booker responded to Director Buck by stating that she is the only Board of Works Member who has served on the Board for the last seven years. She thanked him for all of his work, service, and time.

► Purdue Police Chief Cox provided information on upcoming Purdue events. Chief Cox stated that this weekend there is a home football game, which is the first of three in a row. The Big Ten Plus Grad Expo will be held this weekend. There will also be a couple 5K runs taking place. Purdue's Girls in Aviation Day will be taking place on September 24, 2016. There will be a fall concert on September 30, 2016, for the first Big Ten Football game. There is a block party taking place on Littleton Street from 6:00 p.m. to 9:00 p.m. The Bicentennial Torch Relay will take place on October 12, 2016. Purdue's Homecoming will be on October 15, 2016. Chief Cox stated that their Emergency Preparedness Director prepares an outdoor large events document. He was encouraged to make sure the West Lafayette Police were able to view that document. Purdue Police have also been working with the City's Engineering Department with the work around Russell Street in regards to the parking situation.

3. ADJOURNMENT

There being no further business to come before the Board, Mr. Cohen moved that the meeting be adjourned, and Clerk Booker adjourned the meeting.